

John Richard Fitzgerald  
Morrison Mahoney LLP  
250 Summer Street  
Boston, MA 02210-1181  
Phone: (617) 737-8858  
Fax: (617) 342-4848  
Email: jfitzgerald@morrisonmahoney.com  
Attorneys for Defendant Leisnoi, Inc.

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ALASKA

OMAR STRATMAN,	)	
	)	
Plaintiff,	)	
	)	Case No. A02-0290 CV (JKS)
versus	)	
	)	
LEISNOI, INC., KONIAG, INC., and	)	RULE 12(b)(1) MOTION TO DISMISS
DIRK KEMPTHORNE, SECRETARY OF	)	FOR LACK OF SUBJECT MATTER
THE INTERIOR,	)	JURISDICTION RE: CONGRESSIONAL
	)	RATIFICATION THROUGH ANILCA
Defendants.	)	HAS MOOTED THIS CONTROVERSY
_____	)	

COMES NOW, LEISNOI, INC., through counsel, MORRISON MAHONEY LLP, and hereby moves to dismiss the Third Amended Complaint pursuant to Federal Rule of Civil Procedure 12(b)(1) for lack of federal subject matter jurisdiction. As is shown in the accompanying Memorandum, Congress ratified Woody Island's eligibility through enactment of section 1427 of the Alaska National Interests Lands Conservation Act, declaring therein that Leisnoi, Inc. has a right to conveyance under ANCSA, thereby MOOTING Omar Stratman's challenge to the eligibility of the Native Village of Woody Island.

*Stratman v. Leisnoi, Inc.*  
Case No. A02-0290 CIV (JKS)

DATED this 1st day of March, 2007.

RESPECTFULLY SUBMITTED,

/s/ John Richard Fitzgerald  
Alaska Bar No. 8711084  
Morrison Mahoney LLP  
250 Summer Street  
Boston, MA 02210-1181  
Phone (617) 737-8858  
Fax (617) 342-4848  
Email: jfitzgerald@morrisonmahoney.com  
Attorneys for Leisnoi, Inc.

**CERTIFICATE OF SERVICE**

I hereby certify that on March 1, 2007 a copy of the foregoing was served electronically upon Collin Middleton, Esq., Bruce Landon, Esq., and Michael Schneider, Esq.

/s/ John Richard Fitzgerald